

Congress of the United States
House of Representatives
Washington, DC 20515

May 11, 2023

Maria Martino
Director, Office of Legislation
Centers for Medicare and Medicaid Services (CMS)
U.S. Department of Health and Human Services
Hubert Humphrey Building, Room 337H
Washington, DC 20201

Dear Director Martino:

On May 1, 2023, I visited the Papillion Manor, a skilled care facility located at 610 Polk Street in Papillion, Nebraska, to hear concerns from residents of this facility. I had the opportunity to meet nine residents at the Papillion Manor who expressed sincere concern and dissatisfaction with the Centers for Medicare & Medicaid Services regulations that require special protective measures following the Covid-19 pandemic. I would like a response citing any relevant CMS regulations on the following concerns they discussed:

1. Masks. The residents I spoke with informed me that staff must wear masks while caring for residents. This impairs the residents' ability to hear and understand what their caregivers are saying and deprives residents of the ability to form positive relationships when they can't see the face of the person providing care. I also heard concerns from these residents that the county rate of Covid-19 dictates whether masks are required. There must be a better way to do this than simply relying on a county statistic in metropolitan Omaha.
2. Family. Prior to the Covid-19 pandemic, residents' families could enjoy a family style meal inside the facility. Currently, residents cannot gather to enjoy a meal inside. New regulations have thwarted the ability of residents to celebrate events with other residents and their families, diminishing the quality of life that these residents enjoy.
3. Testing. Every time a resident leaves the Papillion Manor, he or she is tested for the Covid-19 virus continually after re-entry. The nasal swab is not pleasant and affects the quality of life of the residents.
4. Singing. Under the CMS regulations, singing is prohibited in the facility. Research shows that singing can provide stress relief by lowering cortisol levels and releasing endorphins, boost lung function, enhance memory, improve mental health and help one cope with physical and emotional pain.
5. Isolation. After a resident is diagnosed with Covid-19, he or she must remain in their room for 10 days, door closed, regardless of symptoms and further restrictions are in place in the

rooms in the direct hallway. Several of the residents complained about how "horrible it is when staff shut the door and you lose your independence."

Bottom line, the men and women I spoke to at the Papillion Manor feel left behind by these policies. They feel that although they have lost their independence, they shouldn't lose their family. According to a recent Surgeon General advisory, loneliness and isolation have detrimental health effects that I urge CMS to take seriously.

With the Covid-19 public health emergency ending today, I would like to hear back regarding the policies mentioned in this letter and hear what CMS is doing to facilitate a return to normalcy at skilled nursing and long-term care facilities. I kindly request a timely response to this letter so that I may share it with those I represent at the Papillion Manor in Sarpy County, Nebraska.

Yours very truly,

A handwritten signature in blue ink, appearing to read "Mike Flood", with a long horizontal stroke extending to the right.

Mike Flood
Member of Congress

MJF:res

cc. Courtney Mayberry, CSW
Sarah Schram, MS, RD
Senator Pete Ricketts